

ARTICLE VII-A MIXED USE DISTRICTS

Section 701-A General Provisions

The purpose of the Mixed-Use Districts is to allow for the development of a mix of residential, institutional and commercial uses within the same district. These districts are used to establish development centers throughout the city at the neighborhood, community and regional scale, as discussed in the Future Land Use section of the Comprehensive Plan.

Mixed-Use Districts implement the following goals and objectives of the Comprehensive Plan:

1. *Quality physical growth and development*: “Promote compact and contiguous development.”
2. *Strong neighborhoods*: “Establish a...framework of neighborhoods as villages with viable residential, institutional and commercial components that support the daily lives of residents.”
3. *Reliable, cost-effective...infrastructure*: “...a pedestrian environment, landscaped trees, sidewalks, off-street parking and transit.”
4. *Quality physical growth and development*: “Diversify downtown Jackson using a mixed-use neighborhood approach...”
5. *Quality physical growth and development*: “...modify land use and development implementation tools...to ensure consistency with the Comprehensive Plan.”

Section 702-A NMU-1 Neighborhood Mixed-Use District, Pedestrian-Oriented:

The purpose of the NMU-1 Neighborhood Mixed-Use District is to accommodate the development of residential uses along with compatible, low-intensity commercial uses to serve adjacent residential areas. Uses should be integrated physically and accessible by pedestrians in order to decrease reliance on individual automobiles, conserve land, maximize use of public infrastructure, increase the quality of life in neighborhoods and provide for the welfare of the citizens.

Section 702.01-A Uses Permitted:

A. Residential:

1. Single-family attached dwellings
2. Two-family dwellings
3. Multifamily dwellings
4. Dwelling units in mixed-use buildings
5. Accessory dwelling units
6. Bed and breakfast inns (Class A)
7. Group Homes for the handicapped and personal care facilities housing six (6) or fewer residents, excluding staff.
8. Residential day care homes
9. Nursing homes

B. Institutional:

1. Parks
2. Philanthropic institutions
3. Public buildings
4. Schools
5. Churches and places of worship on sites of up to one (1) acre

C. Commercial:

1. Art or photo studio or galleries
2. Offices, up to two-thousand five-hundred (2,500) square feet of floor area
3. Restaurants (Neighborhood) or Restaurants (Neighborhood Shopping Center), including accessory outdoor seating area, provided that the outdoor seating area only operates between 6:00am and 11:00pm.
4. Retail stores, up to three thousand (3,000) square feet of floor area
5. Personal and commercial services, up to three thousand (3,000) square feet of floor area
6. Bars, taverns, cocktail lounges or micro-breweries, including accessory outdoor seating area, provided that the outdoor seating area only is operating between 6:00am and 11:00pm.
7. Home occupations, provided that the home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.

Section 702.02-A Uses Which May Be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance.

1. Commercial day care centers
2. Service stations when:
 - a. The front yard setback is at least fifteen (15) feet; and
 - b. The side yard setback is at least fifteen (15) feet on street-facing sides; but
 - c. All other regulations of the Article shall apply.
3. Parking garages, subject to Section 702.04-A
4. Liquor stores
5. Surface parking lots, subject to subject to Section 702.04-A.

Section 702.03-A Bulk Regulations:

1. Lot area- not regulated.
2. Lot width- All lots shall have at least twenty-four (24) feet of frontage on a public street.

3. Lot coverage- The amount of impervious surface permitted for residential structures shall not exceed eighty (80) percent of the total lot area. The amount of impervious surface permitted for institutional structures shall not exceed sixty-five (65) percent of the lot area. Lot coverage is not regulated for commercial and mixed-use structures.
4. Front yard- Residential and commercial structures shall have a front yard setback of not more than five (5) feet; except where a plaza or courtyard is in the front yard, in which case the maximum setback shall be thirty (30) feet; the plaza or courtyard shall be enclosed on three (3) sides and open to the sidewalk side, but partially enclosed with a combination of landscaping and a small wall or fence, in order to maintain the continuity of the streetscape. Institutional structures shall have a front yard setback of not more than fifteen (15) feet. Accessory building shall have a front yard setback of not less than twenty-five (25) feet.
5. Side yard- Not regulated.
6. Rear yard- All structures shall have a rear yard setback of at least five (5) feet when adjoining an alley or common drive. If not such alley or common drive exists, the rear yard must be sufficient to allow for such alley or drive, based on a determination of the Site Plan Review Committee.
7. Building height- No principal building shall exceed thirty-five (35) feet unless uses are mixed vertically (i.e. ground floor commercial with office or residential in upper floors), in which case the maximum height may be increased to forty-five (45) feet. Accessory buildings shall not exceed fifteen (15) feet in height. Institutional buildings shall not exceed forty-five (45) feet. First floor elevation shall be at least eighteen (18) inches above finished grade for residential uses. Exceptions to these height regulations shall be made for steeples, cupolas and similar architectural elements.

Section 702.04-A Parking Regulations: Required off-street parking is governed by Section 1108-A of this Ordinance, with the following parking reductions allowed:

1. On-street parking located adjacent to any lot shall be counted toward meeting the parking requirements for that lot as set forth in this article.
2. Shared parking is allowed as governed by this Ordinance.
3. A ten (10) percent reduction in required parking is available for each of the following cases, but not to exceed a total reduction of twenty (20) percent:
 - a. For both residential and non-residential uses, when the use is located within a seven-hundred and fifty (750) foot radius of a public transit stop.
 - b. For non-residential uses, when the use is located where residents of all residential and mixed-use areas within a fifteen-hundred (1,500) foot radius of the subject property can walk to the non-residential use on a continuous sidewalk system.
 - c. For non-residential uses, when the use is located within a seven-hundred fifty (750) foot radius of a parking facility that is available

for use by the public at no charge (either directly or through a validation program in which the subject use participates).

Section 702.05-A Additional Regulations:

1. All buildings shall have the primary entrance visible and accessible from the street.
2. Wherever possible, buildings should utilize shared driveways and access roads.
3. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family and two-family houses.
4. Driveways from the primary street for other than single and two-family homes shall be no more than twenty (20) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee.
5. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
6. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
7. Drive-through windows are not permitted on any building.
8. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
9. All new construction in NMU-1 District shall require site plan review as outlined in this Ordinance.
10. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.
11. All off-street parking lots shall adhere to required landscaping buffering, and shall include wrought iron fencing no higher than four (4) feet along the front property line.
12. Automobile parking on surface parking lots located adjacent to non-residential uses shall be located at least five (5) feet from any public street or any adjoining property line. The only access permitted across this setback area shall be sidewalks, bikeways, trails, and drives.
13. Parking garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.

14. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing sidewalks or to any proposed developments and is subject to approval by the Site Plan Review Committee.

Section 703-A CMU-1 Community Mixed-Use District, Pedestrian-Oriented:

The purpose of the NMU-1 Neighborhood Mixed-Use District is to accommodate the development of residential uses along with compatible, low-intensity commercial uses to serve adjacent residential areas. Uses should be integrated physically and accessible by pedestrians in order to decrease reliance on individual automobiles, conserve land, maximize use of public infrastructure, increase the quality of life in neighborhoods and provide for the welfare of the citizens.

Section 703.01-A Uses Permitted:

1. All uses permitted by right in the (NMU-1) Neighborhood Mixed-Use District
2. Commercial day care centers
3. Hotels
4. Retail stores, excluding establishments selling firearms or explosives (above 3,000 square feet of floor area)
5. Offices (above 2,500 square feet of floor area)
6. Restaurants, General
7. Restaurants, Fast-Food
8. Colleges
9. Health clubs
10. Department stores
11. Shopping centers
12. Theaters

Section 703.02-A Uses Which May Be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance.

1. Commercial day care centers
2. Service stations when:
 - a. The front yard setback is at least fifteen (15) feet; and
 - b. The side yard setback is at least fifteen (15) feet on street-facing sides; but
 - c. All other regulations of the Article shall apply.
3. Parking garages, subject to Section 702.04-A
4. Liquor stores

Section 703.03-A Bulk Regulations:

1. Lot area- not regulated.
2. Lot width- All lots shall have at least twenty-four (24) feet of frontage on a public street.
3. Lot coverage- The amount of impervious surface permitted for institutional structures shall not exceed seventy-five (75) percent of the total lot area. Lot coverage is not regulated for residential and commercial uses.
4. Front yard- Residential and commercial structures shall have a front yard setback of not more than five (5) feet; except where a plaza or courtyard is in the front yard, in which case the maximum setback shall be thirty (30) feet; the plaza or courtyard shall be enclosed on three (3) sides and open to the sidewalk side, but partially enclosed with a combination of landscaping and a small wall or fence, in order to maintain the continuity of the streetscape. Institutional structures shall have a front yard setback of not more than fifteen (15) feet. Accessory building shall have a front yard setback of not less than twenty-five (25) feet.
5. Side yard- Not regulated.
6. Rear yard- All structures shall have a rear yard setback of at least five (5) feet when adjoining an alley or common drive. If not such alley or common drive exists, the rear yard must be sufficient to allow for such alley or drive, based on a determination of the Site Plan Review Committee.
7. Building height- The minimum building height for principal structures shall be thirty-five (35) feet. The maximum building height for principal structures with frontage on a public street with one-hundred (100) feet or more of public right-of-way shall be ninety (90) feet. The maximum building height for all other principal structures shall be forty-five (45) feet unless uses are mixed vertically (i.e. ground floor commercial with office or residential in upper floors), in which case the maximum height may be increased to sixty (60) feet. Maximum building height for accessory structures shall be twenty-five (25) feet. First floor elevation shall be at least eighteen (18) inches above finished grade for residential uses. Exceptions to these height regulations shall be made for steeples, cupolas and similar architectural elements.

Section 703.04-A Parking Regulations: Required off-street parking is governed by Section 1108-A of this Ordinance, with the following parking reductions allowed:

1. On-street parking located adjacent to any lot shall be counted toward meeting the parking requirements for that lot as set forth in this article.
2. Shared parking is allowed as governed by this Ordinance.
3. A ten (10) percent reduction in required parking is available for each of the following cases, but not to exceed a total reduction of twenty (20) percent:
 - a. For both residential and non-residential uses, when the use is located within a seven-hundred and fifty (750) foot radius of a public transit stop.

- b. For non-residential uses, when the use is located where residents of all residential and mixed-use areas within a fifteen-hundred (1,500) foot radius of the subject property can walk to the non-residential use on a continuous sidewalk system.
- c. For non-residential uses, when the use is located within a seven-hundred fifty (750) foot radius of a parking facility that is available for use by the public at no charge (either directly or through a validation program in which the subject use participates).

Section 703.05-A Additional Regulations:

- 1. All buildings shall have the primary entrance visible and accessible from the street.
- 2. Wherever possible, buildings should utilize shared driveways and access roads.
- 3. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family and two-family houses.
- 4. Driveways from the primary street for other than single and two-family homes shall be no more than twenty (20) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee.
- 5. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
- 6. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
- 7. Drive-through windows are not permitted on any building.
- 8. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
- 9. All new construction in NMU-1 District shall require site plan review as outlined in this Ordinance.
- 10. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.
- 11. All off-street parking lots shall adhere to required landscaping buffering, and shall include wrought iron fencing no higher than four (4) feet along the front property line.

12. Automobile parking on surface parking lots located adjacent to non-residential uses shall be located at least five (5) feet from any public street or any adjoining property line. The only access permitted across this setback area shall be sidewalks, bikeways, trails, and drives.
13. Parking garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.
14. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing sidewalks or to any proposed developments and is subject to approval by the Site Plan Review Committee.

Section 704-A AC Mixed-Use Activity Center Overlay District:

The purpose of the Mixed-Use Activity Center (AC) Overlay District is to create focal points of pedestrian and commercial activity within neighborhood and community mixed-use districts. These activity nodes will serve as centers for the mixed-use districts. The AC Overlay District is necessary to ensure commercial activity at key nodes and to prevent the saturation of the mixed-use districts with residential use. Thus, the AC Overlay District is necessary to implement the Future Land Use section of the Comprehensive Plan.

704.01-A Regulations:

1. These regulations shall apply to all new development, i.e., new construction or change in use, of property that is designated as AC Mixed-Use Activity Center Overlay District on the Official Zoning Map.
2. The proposed land use of any new development must be allowed in the respective underlying zoning district, as defined in this Ordinance.
3. The proposed development must meet all area, bulk and height requirements of the underlying zoning district, as defined in this Ordinance.
4. The first floor of any new development in the AC Overlay District shall be used for a non-residential use.

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704.01-A Regulations:

1. These regulations shall apply to all new development, i.e., new construction or change in use, of property that is designated as AC Mixed-Use Activity Center Overlay District on the Official Zoning Map.

2. The proposed land use of any new development must be allowed in the respective underlying zoning district, as defined in this Ordinance.
3. The proposed development must meet all area, bulk and height requirements of the underlying zoning district, as defined in this Ordinance.
4. The first floor of any new development in the AC Overlay District shall be used for a non-residential use.

Section 705-A UV Urban Village Mixed Use District

The Urban Village Mixed Use District is for the purpose of combining residential uses and complementary commercial uses within a relatively small area that will provide needed services to residents in the general area. The scale of all buildings should be complementary one to another and provide a transition between more intensive commercial areas and low and medium density residential uses. Existing areas that may be considered for this zoning district should have neo-traditional development patterns reminiscent of mid-twentieth century design elements such as connected and narrow streets, alleys to serve certain uses, sidewalks, and street trees. The Urban Village is broadly characterized as having a range of low to medium density residential in the form of single-family and multi-family dwelling units integrated with shops, services and offices.

Section 705.01-A Uses Permitted:

1. Art galleries, museums, artist studios
2. Banks, savings institutions, and credit unions
3. Bars and taverns
4. Bed and Breakfast Inns—Class A, subject to Section 602.02.3
5. Churches and Places of Worship limited to one (1) acre or more site
6. Day Spas and health clubs
7. Dry cleaner pick up stations
8. Dwelling units above first floor commercial buildings or in mixed-use buildings
9. Group Homes for the handicapped and personal care facilities housing six (6) or fewer residents, excluding staff.
10. Home occupations, provided that the home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
11. Live/Work Units
12. Multi-family dwellings
13. Outdoor seating areas for serving food and beverages such as plazas, courtyards, patios and decks when such areas are owned and maintained by the restaurant, bar or other establishment providing food or drink to patrons in these outdoor areas. Outdoor seating areas may be permitted on public sidewalks subject to approval by the site plan review committee.

14. Professional services and offices limited to five thousand (5,000) square feet of floor area or less.
15. Residential Day Care Centers
16. Restaurant, Fast Food, Type B
17. Restaurants, General
18. Restaurants, Neighborhood
19. Retail Stores limited to five thousand (5,000) square feet of floor area or less
20. Single-family detached and attached dwellings including condominiums and townhouses; Two-family dwellings; accessory dwelling units

Section 705.02-A Uses Which May Be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance.

1. Accessory parking lots subject to regulations in Section 705.04-A

Section 705.03-A Bulk Regulations:

1. Lot size - Not regulated.
2. Lot width- All lots shall have at least twenty-four (24) feet of frontage on a private or public street.
3. Lot coverage- Sixty (60) percent for single-family and two-family residential. Eighty percent for townhouses, and eighty-five percent for multi-family. Commercial and mixed-use structures are not regulated.
4. Front yard- All uses except single-family and two-family detached residential shall have a front yard setback of not more than five (5) feet; except where a plaza or courtyard is in the front yard, in which case the maximum setback shall be thirty (30) feet; the plaza or courtyard shall be enclosed on three (3) sides and open to the sidewalk side, but partially enclosed with a combination of landscaping and a small wall or fence, in order to maintain the continuity of the streetscape.
5. Single-family and two-family detached residential may have a maximum setback of fifteen (15) feet. When residential structures have a front yard setback greater than five (5) feet, a wooden, masonry, or wrought iron fence of three feet or less in height shall be erected in line with adjacent non-residential building or at the five-foot setback line.
6. Infill Context for single-family residential: Where sixty-six (66) percent of the single-family structures within the same block have front yards in excess of fifteen (15) feet new single-family construction may comply with this standard.
7. Side yard - None, except when adjacent to a single-family detached or two-family detached residential use, the distance between the commercial structure and the residential structure shall be a minimum of ten (10) feet.
8. Rear yard- Single-family and two-family shall have a rear yard of twenty (20) feet. Multi-family structures shall have a rear yard of at least fifteen (15) feet; however, no multifamily dwelling shall be built closer than

twenty-five (25) feet to the rear lot line of a lot which is used for single-family attached or detached use. Commercial uses shall have a five (5) foot rear yard when located adjacent to a public access alley or common drive. If a public access alley or common drive does not exist, commercial uses shall provide sufficient easement to provide for such a drive subject to site plan review design standards. If a commercial use rear yard abuts a detached single-family or detached two-family use, a twenty-five (25) foot yard is required and within this area, a ten (10) feet transitional landscaping buffer shall be provided. The remaining setback may be used for off-street parking.

9. Building height- The maximum building height for principal structures shall be thirty-five (35) feet except for mixed-use buildings in which case the maximum building height shall be forty-five (45) feet. Maximum building height for accessory structures shall be fifteen (15) feet. Height regulations exclude steeples, cupolas and similar architectural elements.
10. First floor elevations for residential structures with a five-foot front yard or less shall be at least eighteen (18) inches above the finished grade.
11. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing sidewalks or to any proposed developments and is subject to approval by the site plan review committee.

Section 705.03-A Parking Regulations: Required off-street parking is governed by Section 1108-A of this Ordinance, with the following parking reductions allowed:

1. On-street parking located adjacent to any lot shall be counted toward meeting the parking requirements for that lot as set forth in this article.
2. Shared parking is allowed as governed by this Ordinance.
3. A twenty-five (25) percent reduction in required parking shall be available for all uses regardless of conditions specified in 1 and 2 above.

Section 705.04-A Additional Regulations:

1. All buildings shall have the primary entrance visible and accessible from the street.
2. Wherever possible, buildings should utilize shared driveways and access roads.
3. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family and two-family houses.
4. Driveways from the primary street for other than single and two-family homes shall be no more than twenty-four (24) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee.
5. A minimum of thirty-five (35) feet must be provided between driveways serving single-family, two-family, and multi-family units with eight (8) dwelling units or less. A minimum of fifty (50) feet must be provided between driveways serving all other uses.

6. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than twenty-five (25) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
7. Drive-through windows are not permitted on any building.
8. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 50% of the total area for street-facing facades on the first floor.
9. All new construction in UV District shall require site plan review as outlined in this Ordinance.
10. All off-street parking lots shall adhere to required landscaping buffering, and shall include wrought iron fencing no higher than four (4) feet along the front right of way line.

Section 706-A UTC Urban Town Center Mixed-Use District:

The purpose of the UTC Urban Town Center Mixed-Use District is to encourage the development of new neo-traditional commercial districts and to allow appropriate infill development within existing commercial districts that would be characterized as pedestrian-friendly shopping areas. The intent of these districts is to encourage the integration of medium- to high-density residential, certain commercial uses and small-scaled institutional uses into a cohesive development fabric that encourages pedestrian activity. Existing areas that may be considered for this zoning district would typically have existing commercial stores with front windows and displays, curbside on-street parking or parking behind buildings. A mixture of uses including adaptive uses add to the character of the district and provide services to adjacent residential neighborhoods and to the wider community.

Section 706.01-A Uses Permitted:

1. Art galleries, museums, artist studios
2. Banks, savings institutions, and credit unions
3. Bars and taverns including those with outdoor live entertainment
4. Bed and Breakfast Inns—Class A, subject to Section 602.02.3
5. Churches and Places of Worship limited to one (1) acre or more site.
6. Day Spas and health clubs
7. Department stores
8. Dry cleaners and coin laundries
9. Dwelling units above first floor commercial buildings or in mixed-use buildings
10. Hotels and Inns
11. Live/Work Units
12. Microbrewery Pubs

13. Multi-family dwellings
14. Open space as regulated by Section 706.04-A
15. Outdoor seating areas for serving food and beverages such as plazas, courtyards, patios and decks when such areas are owned and maintained by the restaurant, bar or other establishment providing food or drink to patrons in these outdoor areas. Outdoor seating areas may be permitted on public sidewalks subject to approval by the site plan review committee.
16. Professional services and offices
17. Restaurants, Fast Food, Type B
18. Restaurants, General
19. Restaurants, Neighborhood
20. Retail Stores
21. Single-family attached dwellings including condominiums and townhouses
22. Theatres, indoor

Section 706.02-A Uses Which May Be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance.

1. Commercial Day Care Centers
2. Drive-through windows for banks, dry cleaners and drug stores
3. Liquor Stores
4. Parking Garages, subject to restrictions in Section 706.04-A
5. Accessory Parking Lots, subject to restrictions in Section 706.04-A

Section 706.03-A Bulk Regulations:

1. Lot area- Not regulated.
2. Lot width- all new lots shall have at least thirty-four (34) feet of frontage on a public street, public courtyard, or alley.
3. Lot coverage-Not regulated
4. Front yard- Residential and commercial structures shall have a front yard setback of not more than five (5) feet; except where a plaza or courtyard is in the front yard, in which case the maximum setback shall be thirty (30) feet; the plaza or courtyard shall be enclosed on three (3) sides and open to the sidewalk side, but partially enclosed with a combination of landscaping and a small wall or fence, in order to maintain the continuity of the streetscape. Institutional structures shall have a front yard setback of not more than fifteen (15) feet. Accessory building shall have a front yard setback of not less than twenty-five (25) feet.
5. Side yard- None; however, when located adjacent to detached single-family or two family residential uses or property zoned R-1, R-1A, R-1E, R-2, or R-3., the side yard requirement shall be increased to fifteen (15)

feet, within which area a ten (10) foot transitional landscaping buffer shall be provided.

6. Rear yard- Single-family and two-family shall have a rear yard of twenty (20) feet. Multi-family structures shall have a rear yard of at least fifteen (15) feet; however; no multifamily dwelling shall be built closer than twenty-five (25) feet to the rear lot line of a lot which is used for single-family attached or detached use. Commercial uses shall have a five (5) foot rear yard when located adjacent to a public access alley or common drive. If a public access alley or common drive does not exist, commercial uses shall provide sufficient easement to provide for such a drive subject to site plan review design standards. If a commercial use rear yard abuts a detached single-family or detached two-family use, a twenty-five (25) foot yard is required and within this area, a ten (10) foot transitional landscaping buffer shall be provided. The remaining setback may be used for off-street parking.
7. Building height- The minimum building height for principal structures shall be thirty (30) feet. The maximum building height for principal structures with frontage on a public street with one hundred (100) feet or more of public right-of-way shall be ninety (90) feet. The maximum building height for all other principal structures shall be forty-five (45) feet unless uses are mixed vertically (i.e. ground floor commercial with office or residential in upper floors), in which case the maximum height may be increased to sixty (60) feet.

Maximum building height for accessory structures shall be twenty-five (25) feet. First floor elevation shall be at least eighteen (18) inches above finished grade for residential uses. Height regulations exclude steeples, cupolas and similar architectural elements.

Any lot that is adjacent to a single family detached residential use or district shall be limited to a building height of thirty-five (35) feet for that portion of the building that is within fifty (50) feet of said residential property.

8. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing sidewalks or to proposed developments subject to approval of the Site Plan Review Committee.

Section 706.03-A Parking Regulations: Required off-street parking is governed by Section 1108-A of this Ordinance, with the following parking reductions allowed:

1. On-street parking located adjacent to any lot shall be counted toward meeting the parking requirements for that lot as set forth in this article.
2. Shared parking is allowed as governed by this Ordinance.
3. A fifty (50) percent reduction in required parking shall be available for all uses regardless of conditions specified in 1 and 2 above.

Section 706.04-A Additional Regulations:

1. All buildings shall have the primary entrance visible and accessible from the street, courtyard or plaza.

2. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family. Shared driveways are encouraged.
3. Driveways from the primary street for other than single family homes shall be no more than twenty-four (24) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee. Shared access points are encouraged.
4. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
5. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
6. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
7. Drive-through windows are prohibited except for banks, dry cleaners and drug stores.
8. Parking Garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.
9. All off-street parking lots shall adhere to required landscaping buffering, and shall include a wrought iron fence no higher than four (4) feet along the front r. o. w line.
10. All new construction in an UTC District shall require site plan review as outlined in this Ordinance.
11. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.

707-A C-4 Central Business District:

The purpose of this district is to preserve and perpetuate an intensive and cohesive downtown urban core characterized as the center for employment and as the focus of commercial, governmental, and cultural activities. The intent of this district is to develop a strong sense of place by extending the duration of downtown's activities by improving the pedestrian environment and creating mutually supportive land uses such as cultural arts, education, entertainment, housing, business, other commerce and government. The Central Business District is to be located in the vicinity of the City Hall and State Capitol and close to peak traffic and pedestrian flows where residential, commercial, governmental and cultural activities can be conveniently accommodated and made

easily accessible to adequate parking, transit, and regional transportation services for clientele and employee groups residing, patronizing, or working in the Central Business District.

707.01-A Uses Permitted:

1. Arts, entertainment, and cultural facilities
2. Adult and Child Care/Commercial
3. General commercial and professional offices
4. Mixed Use buildings which contain offices, retail, restaurants, residential and related services.
5. Churches and ancillary services
6. Conference/Convention center
7. Civic and Governmental uses including auditoriums and places of assembly
8. Finance, insurance and professional offices
9. Health/Fitness Club
10. Hotels
11. Museums, Art Galleries
12. Nightclubs, Bars
13. Personal services
14. Pocket Parks, Plazas and Courtyards
15. Public Art subject to approval of the Arts Council of Greater Jackson
16. Residential Uses to include condominiums, cooperatives, multi-family, two-family attached and townhouses.
17. Restaurant, Fast-Food, Type B (drive-through not permitted)
18. Restaurants, General
19. Multi-modal transportation facilities
20. Wholesale and retail commercial
21. Microbrewery pubs

707.02-A Uses Which May be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance:

1. Commercial Communication Towers
2. Residential Uses including single-family detached and zero-lot line detached units
3. Live/Work Units
4. Fast Food Restaurants, Type A (drive-through permitted)
5. Parking Garages
6. Warehouse and Distribution Facilities

7. Bail Bonding Businesses
8. Service Stations
9. Drive-in facilities for banks and restaurants
10. Commercial Car Washes
11. Motels
12. Liquor Stores
13. Gaming Casinos
14. Surface Parking Lots as principal use except on E. Capitol St. and that portion of W. Capitol Street on the east side of Gallatin St.

707.03-A Bulk Regulations:

1. Minimum lot area - not regulated.
2. Minimum lot width - not regulated.
3. Minimum front yard depth – not regulated
4. Maximum front yard depth –At least sixty (60) percent of the building wall must be located within five feet of the property line; however, the front façade may recede from the street wall by as much as fifteen (15) feet to allow for columns or other architectural elements. Recesses on the ground floor to accommodate entry ways, display windows, planters, or similar features shall not be considered as setbacks provided the upper stories have been built to the street wall.

Corner lots within the CBD shall maintain a zero foot setback from the street wall for at least fifty (50) feet from the intersection along each street, or the width of the lot, whichever is less.

4. Minimum side yard width – not regulated.
5. Minimum rear yard depth – not regulated.
6. Maximum height – one hundred-fifty (150) feet, unless specified otherwise in overlay districts.
7. Maximum lot coverage – not regulated.

707.04-A Vehicular Parking Regulations:

1. See Article XII Landscaping and Buffering.
2. Parking lots shall be located in the rear or side yard of the principal building it serves. Side yard parking lots shall account for no more than twenty-five (25) percent of required parking.
3. Buildings in the CBD are exempt from off-street parking requirements.
4. No parking lots shall be permitted that front E. Capital Street and that portion of W. Capitol Street on the east side of Gallatin St.

707.05-A Site Design Regulations

1. Lots shall be configured to front a vehicular thoroughfare, with primary entrances visible and accessible from the street, or a public plaza or courtyard.
2. Public sidewalks shall be required for all new development and infill

development. Sidewalk width and design shall adhere to existing sidewalks or to proposed development standards with a minimum and maximum width to be determined by Site Plan Review Committee.

3. Landscaping of vehicular parking lots, streetscapes, walkways and perimeters of sites shall adhere to the standards in Article XII.
4. Signs shall adhere to the standards of the City of Jackson Sign Ordinance.
5. Sidewalks shall continue across any intervening driveways but shall be textured to indicate a curb cut as a safety feature.
6. Curb cuts and driveways shall not be permitted on any storefront street when access may be provided from a side or rear street located immediately adjacent to a continuous property with the exception of hotel patron drop off drives and church drop-off drives.
7. Drive-through service windows and drive-in facilities shall not be located between the principal structure and the street.

707.06-A Building Regulations

1. In retail commercial and mixed-use structures, windows, doors, display windows shall comprise seventy (70) percent of the total area for street-facing facades on the first floor. In the case of corner buildings, that portion of the building considered to be the side façade shall be required to have a minimum of twenty-five (25) percent in windows or doors.
2. All buildings shall have the primary entrance visible and accessible from the street, courtyard or plaza.
3. Industrial and warehousing uses shall not have blank walls greater than fifty (50) feet and building characteristics which encourage pedestrian accessibility are considered desirable.

707.07-A Additional Regulations

1. See Article XII for Landscaping and Buffering Requirements
2. Lighting for parking lots and streetscapes and street furniture shall adhere to the City of Jackson Urban Design Plan. (*BRW, Inc. Hammer Siler George Associates, December, 1992.*)
3. Signs shall adhere to the standards of the City of Jackson Sign Ordinance
4. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area or public right-of-way.
5. No exterior storage, including vehicle storage associated with a retail establishment, shall be permitted.
6. Skyways and other types of visual obstructions are prohibited over East Capital and West Capital on the East side of Gallatin; Congress St., President Street from Court St. to Fortification St. and State Street from Court to Mississippi St.

7. No buildings shall be permitted between I-55 and the Capital Dome which exceed the elevation of the Capitol Dome Base.
8. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; the Use Permit does not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of a liquor store at this location must apply for and receive a new Use Permit.

707.08-A Pre-Existing Conditions

1. Minimum lot area and lot width measurements shall not be applicable upon existing and developed commercial lots which do not meet such regulations at the date of adoption of this Section.
2. Existing buildings that do not conform to the provision of this Section may continue in use as they are until a substantial modification is requested, at which time the Site Plan Review Committee shall determine the provisions of this Section that shall apply.
3. The modification of existing buildings is permitted by right if such changes result in greater conformance with the specifications of this Section.
4. Where buildings exist on adjacent lots, the Zoning Administrator may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of this Section.

707.09-A Procedures for Review

1. No development shall begin or be substantially changed until the Site Plan Review Committee has approved the proposed development or change, except where Ordinances of the City expressly delegate such approval to staff.
2. All demolitions, redevelopment projects, and new construction in the Central Business District shall require site plan review as outlined in this Ordinance.